

REMARKS

The applicants have carefully considered the Office action dated October 1, 2010, and the references it cites. By way of this response, claims 1-4, 6-11, 14-18, and 20-21 have been amended. Claims 5 and 23-25 have been cancelled without prejudice to their further prosecution. All claims are supported by the specification. All pending claims are in condition for allowance and favorable reconsideration is respectfully requested.

Claim Objections

Claims 1-16, 24, and 25 were objected-to over the language “each being linked to the another.” The objections are obviated by the foregoing amendments. Reconsideration is respectfully requested.

Rejections Under 35 U.S.C. § 112

Claims 1-25 were rejected as indefinite with regard to “means.” The rejections are obviated by the foregoing rejections that eliminate the term “means” from the claims and make clear that the claims do not fall under 35 U.S.C. § 112, sixth paragraph. Reconsideration and withdrawal of the rejections are respectfully requested.

Rejections Under 35 U.S.C. § 103

Claim 1 was rejected as unpatentable over Nyhan (US Pub. No. 2003/0009372) in view of Sim (US 7,376,722). Claim 1 recites a data processor to receive from a browser, a measurement record after the user accesses a part of the network having a portion of measurement code embedded therein, the data processor to determine from a survey identifier included in the measurement record whether a survey has been presented to the user when the survey identifier is not detected, the data processor forward a survey initiation code together with a compatible measurement code to the user to complete a

survey including a request for the demographic data of the user. The Office action admits that Nyhan does not teach or suggest a survey including demographic data of a user. The Office action cites Sim to cure the deficiencies of Nyhan. Sim does not teach or suggest providing a survey initiation code requesting demographic data when a user accesses a part of a network. The portion of Sim cited in the Office action is directed to obtaining personal details about a selected set of panelists and does not suggest that these details are obtained from a survey sent to users as recited in claim 1. Accordingly, it is respectfully submitted that the Nyhan/Sim combination fails to teach or suggest a data processor for receiving from a browser, a measurement record after the user accesses a part of the network having a portion of measurement code embedded therein, wherein the data processor forwards survey initiation code together with compatible measurement code to the user to complete a survey including a request for demographic data of the user. Accordingly, claim 1 and all claims depending therefrom are in condition for allowance.

Claim 17 recites transmitting survey initiation code with compatible measurement code to a user to complete a survey including a request for demographic data of the user. The Nyhan/Sim combination fails to teach or suggest such a method. Accordingly, claim 17 and all claims depending therefrom are allowable.

Claim 20 recites a data processor for receiving from a browser a measurement record after the user accesses a part of the network having a portion of measurement code embedded therein, wherein the measurement record and the survey data include demographic data of the user identified by a user identification code. The Nyhan/Sim combination fails to teach or suggest such a system. Accordingly, claim 20 and all claims depending therefrom are allowable.

Conclusion

All claims are in condition for allowance. If the Examiner is of the opinion that a telephone conference would expedite the prosecution of this case, the examiner is invited to contact the undersigned at the number identified below.

In general, the official action makes various statements regarding the pending claims and the cited references that are now moot in light of the above. Thus, the applicants will not address such statements at the present time. However, the applicants expressly reserve the right to challenge such statements in the future should the need arise (e.g., if such statement should become relevant by appearing in a rejection of any current or future claim).

The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 50-2455. To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made.

Please refund any overpayment to Hanley, Flight & Zimmerman, LLC at the address below.

Respectfully submitted,

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